

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
Amendment of Section 73.202(b),	)	
FM Table of Allotments,	)	
FM Broadcast Stations.	)	
	)	
(Paducah, Texas)	)	MM Docket No. 01-156
	)	RM-10177
	)	
(Paulden, Arizona)	)	MM Docket No. 01-158
	)	RM-10179

**REPORT and ORDER (Proceeding Terminated)**

**Adopted: April 10, 2002**

**Released: April 22, 2002**

By the Assistant Chief, Audio Division:

1. Before the Audio Division for consideration is a multiple docket *Notice of Proposed Rule Making* setting forth two separate proposals to amend the FM Table of Allotments, Section 73.202(b) of the Rules to allot new channels in four separate localities. In one of the cases, the petitioner, Paulden Broadcasting (Paulden, Arizona), filed comments reiterating its interest in filing an application for construction permit at each locality and bid at auction if the channel is allotted. We received other comments in support of the allotment of Channel 263C3 at Paulden, Arizona. The other proposal will be dismissed at petitioner's request.

2. This is a multiple docket *Report and Order* issued in response to a Commission *Public Notice* released October 2, 1998 (DA 98-1987). We combined separate FM allotment proposals into a single *Notice of Proposed Rule Making*. Each proposal has its own docket and rule making number and the Commission's Reference Center will maintain a separate file for each docket. As discussed in the *Public Notice*, this procedure will conserve Commission resources and expedite the processing of FM allotment petitions for rule making by avoiding duplicative actions. We discuss the following proposals:

**A. MM Docket No. 01-156; RM-10177**

**Petitioner:** Charles Crawford  
4553 Bordeaux Ave.  
Dallas, TX 75205

**Determination:** Dismiss petition.

Accordingly, IT IS ORDERED That the petition for rulemaking filed by Charles Crawford to allot Channel 296C3 to Paducah, Texas, IS DISMISSED.

**Additional Information:** Petitioner initially filed comments reiterating his interest in this allotment but subsequently withdrew his expression of interest in this allotment. No other comments in support of the allotment were received. As stated in the *Notice*, a showing of continuing interest is required before a channel will be allotted. It is the Commission's policy to

refrain from making an allotment to a community absent an expression of interest. Therefore, petitioner's proposal is being dismissed. Further, as noted in comments filed jointly by First Broadcasting Company, L.P., Next Media Licensing, Inc., Rawhide Radio, L.L.C., Capstar TX Limited Partnership and Clear Channel Broadcasting Licenses, Inc., due to a lapse in the Commission's FM database, it was filed in conflict with an earlier filed counterproposal in MM Docket No. 00-148.<sup>1</sup>

**FCC Contact:** Victoria M. McCauley, Media Bureau (202) 418-2180.

**B. MM Docket No. 01-158; RM-10179**

**Petitioner:** Paulden Broadcasting  
c/o A. Wray Fitch, III  
Gammon & Grange  
8280 Greensboro Drive, 7<sup>th</sup> Floor  
McLean, VA 22102-3807

**Determination:** Allot Channel 263C3 at Paulden, Arizona as the community's first local aural transmission service.

Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective June 6, 2002, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, as follows

<u>Community</u>	<u>Channel</u>
Paulden, Arizona	263C3

Coordinates: 34-53-00 NL and 112-28-00 WL.

**Additional Information:** Jeraldine Anderson and Southwest FM Broadcasting Co., Inc. filed comments in support of the allotment. Channel 263C3 can be allotted at Paulden without a site restriction. Since this proposal is within 320 kilometers (199 miles) of the U.S.-Mexico border, concurrence of the Mexican government to the proposed allotment has been requested, but not received. If a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican government, the authorization will include the following condition: "Operation with the facilities specified herein is subject to modification, suspension or

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<sup>1</sup> Charles Crawford responded to these comments but since we are accepting his withdrawal and dismissing this proceeding, we see no need to address the issues raised.

termination without right to a hearing, if found by the Commission to be necessary in order to conform to the USA-Mexico FM Broadcast Agreement, or if specifically objected to by Mexico.”

**FCC Contact:** Victoria M. McCauley, Media Bureau (202) 418-2180.

3. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

4. For further information concerning a specific docket, contact the FCC contact person listed above for that docket. Questions related to the application filing process should be addressed to the Audio Division, Media Bureau (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
Assistant Chief, Audio Division  
Office of Broadcast License Policy  
Media Bureau